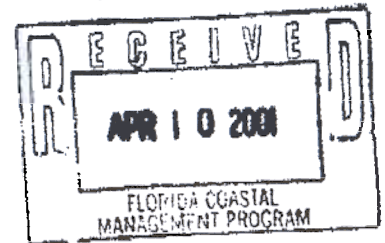


South
Florida
Regional
Planning
Council



April 5, 2001

Ms. Cherie Trainor
Florida Coastal Management Program
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

RE: SFRPC #'s 01-0315, SAI File #'s FL199904260265CR - Request for comments on the advanced notification regarding the environmental assessment for the construction of Tri-Rail's South Fork of the New River Bridge. This improvement project is part of Tri-Rail's Double Track Corridor Improvement Program, Tri-County Commuter Rail Authority, Fort Lauderdale, Broward County.

Dear Ms. Trainor:

We have reviewed the above-referenced request and have the following comments:

- Council staff find that the purpose of the proposed improvement to the Tri-Rail's South Fork of the New River Bridge is generally consistent with the goals and policies of the *Strategic Regional Policy Plan for South Florida (SRPP)*, in that future improvements to the commuter rail infrastructure will help ensure the availability of alternative and efficient transportation to the people of South Florida.

In addition, when analyzing future transportation infrastructure improvements, consider the following comments:

- The project must be consistent with the goals and policies of the City of Fort Lauderdale and Broward County comprehensive plans and their corresponding land development regulations. It is important for the permit grantor to coordinate its permit with the local government(s) granting permits for development at the subject sites.
- Staff recommends that 1) any future environmental impacts on the natural systems, as a result of construction activities related to the new bridge, be minimized to the greatest extent feasible, and 2) general management practices be sensitive to wildlife and vegetative communities and require protection and or mitigation of disturbed habitat. This will assist in reducing the cumulative impacts to native plants and animals, wetlands and deep water habitat and fisheries that the goals and policies of the *Strategic Regional Policy Plan for South Florida (SRPP)* seek to protect.
- The improvement project is located over the Biscayne Aquifer, and the South Fork of the New River, a navigable waterway and Class I and II Waters. These are all natural resources of regional significance designated in the SRPP. The goals and policies of the SRPP, in particular those indicated below, should be observed when making decisions regarding future improvements to the South Fork of the New River Bridge.

Ms. Cherie Trainor

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- Staff analysis also indicates that the objectives of the proposed project would support the Council's efforts towards the establishment of a regional multi-modal transportation system, and promote redevelopment and revitalization of the region's urban core.

The proposed project will further the following regional goals and policies of the SRFP, specifically:

Strategic Regional Goal

- 2.2 Revitalize deteriorating urban areas.

Regional Policy:

- 2.2.13 In the development of the region's multi-modal transportation system, give priority to enhancing access between existing and emerging employment centers and residential areas experiencing underemployment.

Strategic Regional Goal

- 3.1 Eliminate the inappropriate uses of land by improving the land use designations and utilize land acquisition where necessary so that the quality and connectedness of Natural Resources of Regional Significance and suitable high quality natural areas is improved.
- 3.1.2 Direct inappropriate uses of land that are not consistent with the protection and maintenance of natural resource values away from Natural Resources of Regional Significance and suitable natural resource areas.

Strategic Regional Goal

- 4.1 Achieve a competitive and diversified regional economy, including lower unemployment rate and higher per capita income than the state and national average for Dade, Broward and Monroe Counties through the achievement of cutting edge human resources, economic development infrastructure and other resources to ensure a sustainable regional community.

Regional Policy:

- 4.1.10 Coordinate and develop a totally integrated, multi-modal regional transportation system whereby heavy and light rail transit, people movers, Tri-Rail Commuter Service trolleys, express and local bus service and other transit related travel play a more active role in the movement of people. When modernizing or creating new transportation system utilize land use/transportation strategies to reduce congestion and allow for sustainable growth in the Region.

Strategic Regional Goal

- 5.1 To achieve mutually supportive transportation planning and land use planning that promotes both mobility and accessibility in order to foster economic development, preserve natural systems, improve air quality, increase access to affordable housing and promote safety.

Regional Policies

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- 5.1.1 Expand and improve the number and scheduling of links between the existing public transportation systems and expand transit systems to target regional and cross-county travel needs.
- 5.1.4 Plan and construct intermodal connections to multimodal transportation corridors and develop high density and mixed land use around those intermodal connections.
- 5.1.13 Expand use of mass transit, commuter rail, and alternative transportation modes, and increase their role as major components in the overall regional transportation system.
- 5.1.22 Decrease the region's dependence on foreign oil through the increased use of mass transit and alternative fuels for transportation purposes.



Memorandum

TO: Everglades Technical Oversight Committee
FROM: Frank Nearhoof, FDEP Representative
DATE: February 8, 2001
RE: C111 Total Phosphorus Monitoring

At the prior TOC meeting, concerns were expressed over data quality for monitoring associated with implementation of the U.S. Army Corps of Engineer's (USACE) C-111 project. In response to those concerns, the Florida Department of Environmental Protection (Department) has conducted a review of total phosphorus data collected for the USACE by its contract lab (PPB Environmental Laboratories). This review included an audit of PPB on November 14, 2000, and analysis of inter-laboratory split-samples. Based on its review, the Department believes that there are precision and accuracy problems with USACE C-111 phosphorus data for two distinct time periods and recommends these data be qualified as follows:

- 1) In accordance with Rule 62-160, Florida Administrative Code (FAC), all total phosphorus data analyzed by PPB prior to June 2000 should be qualified with a "?" ("Data is rejected and should not be used. Some or all of the quality control data for the analyte were outside criteria, and the presence or absence of the analyte cannot be determined from the data."). This recommendation is based on the large positive bias (approx. 16 µg/L) in PPB total phosphorus results demonstrated by split-samples between PPB Labs and FDEP for the period February-May 2000 (Figure 1).
- 2) Also, subsequent to June 2000, any total phosphorus values reported by PPB that are less than 16 µg/L should be qualified with a "I" (Estimated value between the method detection limit and practical quantitation limit (PQL)) in accordance with Rule 62-160, F.A.C. This code is required since the reported values are below the estimated PQL for the laboratory. Since the intent of the monitoring being performed by PPB is to determine compliance relative to phosphorus levels in the 5-10 µg/L range, as stated in the C-111 draft General Reevaluation Report supplement, it is necessary for the laboratory to have accuracy and precision commensurate with that intent. The lack of sensitivity (precision) below 16 µg/L is demonstrated by:
 - a) A laboratory audit (report attached) of PPB by FDEP staff on November 14, 2000, which concluded that PPB has not demonstrated adequate precision

Everglades Technical Oversight Committee
Page Two
February 8, 2001

and accuracy below its PQL (16 µg/L) and therefore results less than 16 µg/L should be qualified as estimated;

- b) Split-samples among PPB, SFWMD, and FDEP laboratories for the period June-November 2000 indicate that results from PPB are more variable and have a greater frequency of values reported as less than the MDL than either other laboratory (Figures 2 and 3). However, these results do not indicate a PPB bias as seen in the earlier split-samples (Figure 2).

Temporal trends in the USACE C-111 monitoring data are supportive of the above conclusions regarding the accuracy of the two time periods. Prior to July 2000 USACE total phosphorus measurements (auto-sampler) were substantially greater than SFWMD measurements (grab sample).

If you have any questions regarding these findings and recommendations please contact me at (850) 921-9489.

Attachments

cc: Jerry Brooks

Jennifer Fitzwater

Figure 1. Summary of split sample results between FDEP and PPB laboratories for the period February-May, 2000. The top, solid mid-line, and bottom of each box represents the 75th, 50th (median), and 25th percentiles, respectively; the vertical lines represent the 10th and 90th percentiles; the horizontal dashed line is the arithmetic mean; and small circles are observations outside the 10th and 90th percentiles. Values reported as less than the MDL were replaced with ½ MDL (2 µg/L).

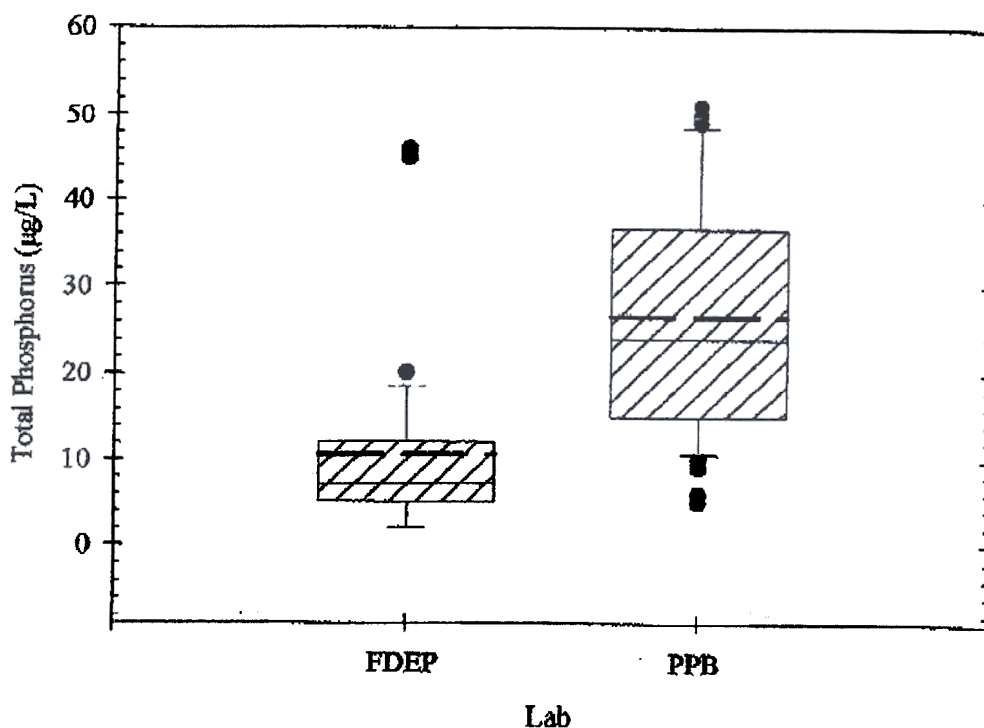


Figure 2. Summary of inter-laboratory split-sample variability among SFWMD, FDEP, and PPB labs for the period June-December, 2000. Variability is expressed as the difference of individual split-sample results from the average result, where average result is defined as the arithmetic mean result of the three laboratories. Values reported as less than the MDL were replaced with $\frac{1}{2}$ MDL ($2 \mu\text{g/L}$).

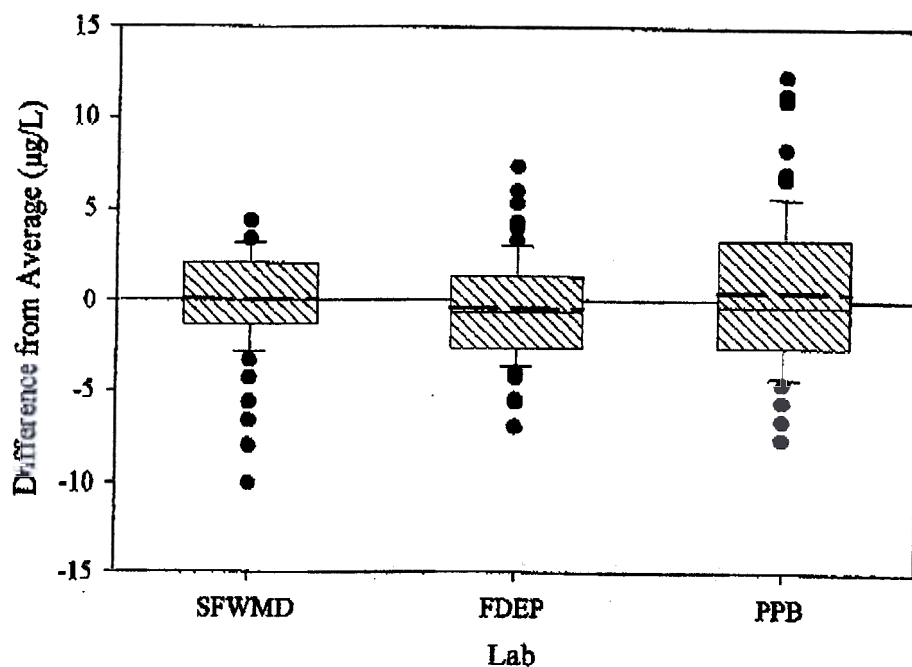


Figure 3. Inter-laboratory comparison among PPB, SFWMD and FDEP for split-samples collected by PPB between June 5, 2000 and December 11, 2000. Red solid lines are regression lines between the labs. Black dashed lines show the 95% confidence intervals of the regressions. Values reported as less than the MDL were replaced with $\frac{1}{2}$ MDL ($2 \mu\text{g/L}$).

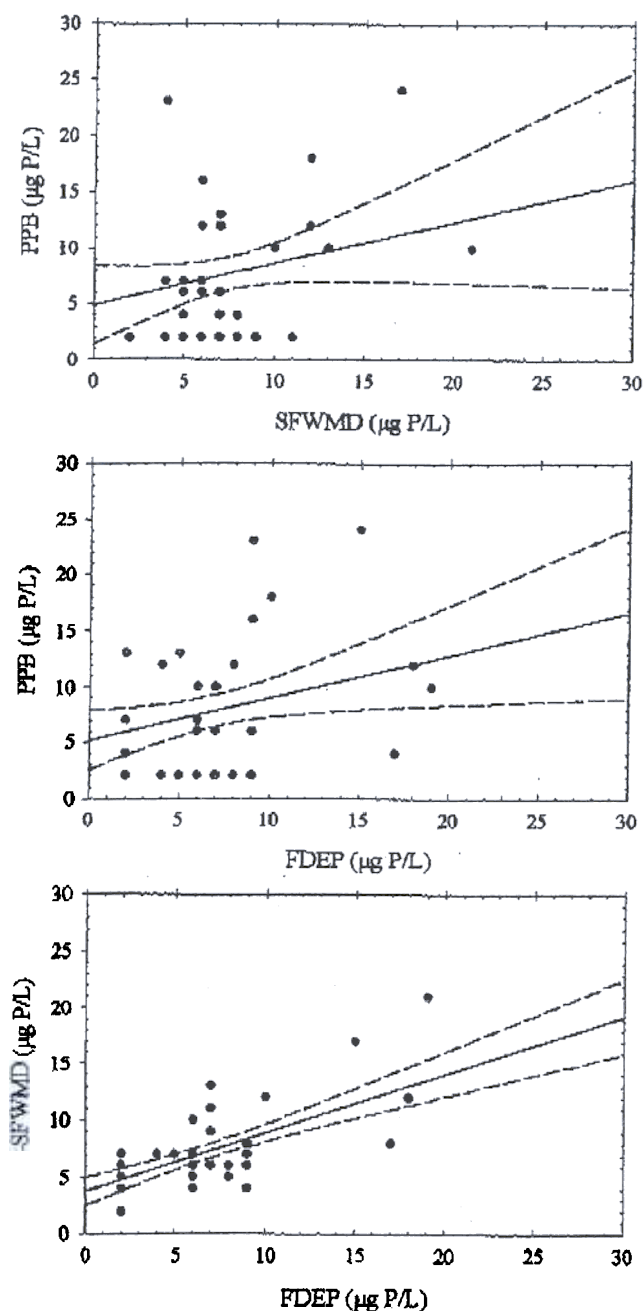
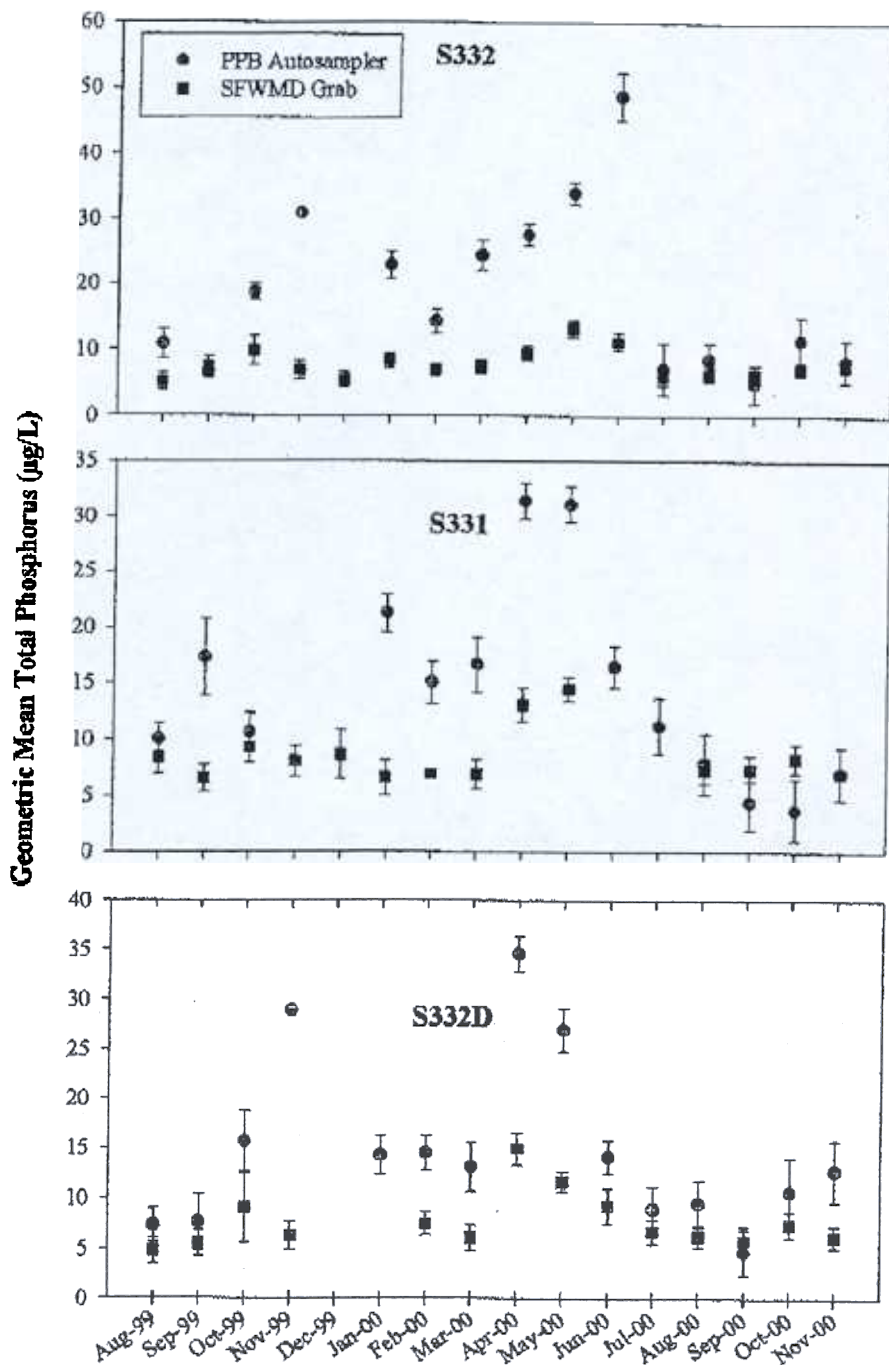


Figure 4. Monthly geometric mean \pm standard deviation total phosphorus concentrations calculated from USACE auto-sampler and SFWMD grab sample data at the S332, S331, and S332D structures. Values reported as less than the MDL were replaced with $\frac{1}{2}$ MDL ($2 \mu\text{g/L}$).



February 15, 2001

Ms. Cherie Trainor
Florida State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Re: Department of the Army, Central and Southern Florida Project, Supplement to the Final Environmental Impact Statement (SEIS) on the General Design Memorandum for Modified Water Deliveries to the Everglades National Park, Issued in 1992, and General Reevaluation Report on Canal 111 (C-111) Issued in 1994, Dade County

SAI: FL199403010133CR3

Dear Ms. Trainor:

The Department has reviewed the above-described project proposal and based on the information provided, we submit the following comments and recommendations.

Comments:

The Department provided comments to the Corps of Engineers on the Draft Supplemental EIS for the C-111 Project in September 2000 (see attached letter). Those comments should continue to be useful during the review process of any remaining draft documents covered by SAI# FL94-0133CR3. Additional comments are provided below.

A primary concern will be the impact on natural areas that result from all construction projects and operational criteria established for these projects. An evaluation should be made of operational impacts to Lake Okeechobee; the Caloosahatchee and St. Lucie Estuaries; the Water Conservation Areas; Everglades National Park (ENP); and, Manatee Bay and Barnes Sound. Water depths, hydroperiods, and the timing of discharge events will be important considerations. An evaluation of impacts to listed species throughout the impacted natural system should be included in the documents.

Water quality impacts to natural areas will also be a major concern. Water quality requirements have been included in the Everglades Forever Act and will affect the operation and design of these projects. Requirements included in the settlement agreement resulting from the federal lawsuit over water quality discharged to federal lands in the Everglades must also be met. ENP is an Outstanding Florida Water that requires special protection. All draft documents should specify how these requirements would be met.

At the January 30, 2001 Scoping Meeting held in Homestead, information was provided that indicated that the second retention area planned to receive flows from the S-332B Pump Station was to be eliminated in the new documents. Direct surface water discharges to ENP would result from this action. In the recent past, ENP staff has objected to any direct surface water discharge entering the park. A complete justification for the elimination of this second retention area should be provided. An operational permit will be required for these projects which must consider the park's objections. These concerns must be addressed in the draft documents. Past decisions indicate that a surface water discharge would most likely also require a NPDES Permit.

Additional impacts could result from the elimination of the second retention area if a direct surface water discharge to ENP is not permissible. Water discharged to a second retention area would enter the groundwater and supplement water levels in the over-drained Taylor Slough headwater area as well as Shark River Slough. Without a second retention area and no permissible surface water discharge, this water would be discharged to tide through the C-111 Canal to Manatee Bay and Barnes Sound. Not only would this much-needed water be lost to the freshwater wetlands but it could also cause adverse impacts to the estuaries.

Another issue that must be considered during the permitting process is the impact to flood control in the areas affected by the associated projects. Agricultural interests have asked for details on the canal elevations to be maintained during operation of the system. Affects on both agricultural and urban flood protection should be addressed. Details on the affect of the proposed canal elevations on the natural system should also be addressed. All of these issues must be considered during the permit process.

An evaluation of how these projects will interface with the authorized Comprehensive Everglades Restoration Project (CERP) should be provided. Compatible as well as incompatible elements should be discussed. One example would be the elimination in this process of a second retention area to adequately retain all S-332B discharges while the CERP includes treatment for all flows to natural areas. Other disconnects also exist. A plan to integrate the two processes should be developed and provided in the documents. Fiscal and environmental impacts resulting from construction of incompatible elements should be detailed. All possible methods of eliminating the duplications, conflicts, and disconnects should be explored and provided in the documents.

Thank you for the opportunity of commenting on this proposal. If you have technical questions related to this response please contact Mr. Herb Zebuth at 561/681-6703. If you have questions regarding this letter please give me a call at (850) 487-2231.

Sincerely,

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Robert W. Hall
Office of Intergovernmental Programs

Attachment
cc: Jose Calas
Cheryl McKee
Herb Zebuth

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



BARBARA C. BARSH
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March 22, 2001

Ms. Cherie Trainor
Florida State Clearinghouse
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Re: SAI #199901280054CR5, Draft
Environmental Impact Statement: Interim
Operational Plan (IOP) for Protection of the
Cape Sable Seaside Sparrow, Broward and
Miami-Dade Counties

Dear Ms. Trainor:

The Office of Environmental Services of the Florida Fish and Wildlife Conservation Commission (FWC) is in the process of reviewing the referenced document, coordinating input from other relevant divisions of the agency, and preparing a Fish and Wildlife Coordination Act report to the U.S. Army Corps of Engineers. As soon as this report is complete, we will be pleased to provide a copy to your office.

At this point in our review, we are very concerned that the federal agencies who developed this proposed plan (i.e., the U.S. Army Corps of Engineers, the U.S. Department of the Interior, and, to a limited extent, the U.S. Department of Justice) did so without fully coordinating with the FWC. We understand that this lack of full coordination was due to several lawsuits that were filed against the U.S. Army Corps of Engineers and the U.S. Department of the Interior, and the federal attorneys' position that their discussions needed to be kept in the "federal family" in order to protect the status of their attorney-client relationship. Nevertheless, this project has the real potential to affect both lands that we manage (Everglades and Francis S. Taylor Wildlife Management Area, or Water Conservation Areas 2 and 3; and Southern Glades Wildlife and Environmental Area) and state-listed species for which we have responsibility. Although the proposed project is unlikely to be inconsistent with our regulations per se, our overriding concern at this time is the extent to which similar lawsuits could limit our full

Ms. Cherie Trainor
March 22, 2001
Page 2

involvement in planning upcoming ecosystem-restoration projects under the massive
Comprehensive Everglades Restoration Plan.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brian Barnett, for".

Bradley J. Hartman, Director
Office of Environmental Services

BJH/MAP
ENV 2-16/4
ENV 2-16/8
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